| Notice of Allowability 10(88) 207 Examiner Art Unit | | Application No. | Applicant(s) | |
|---|--|--|---|---------------------------|
| ## Eisa B Eihilo ## Line ## The MAILING DATE of this communication appears on the cover shoot with the correspondence address— ## All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowane (PTOL-85) or other appropriate communication will be mailed on use course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RICHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.31a and MPEP 1302. ### The drawings filed on are accepted by the Examiner. ### All DIS office of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). ### allowed claim(s) Islane 2-6 and 8-13. ### Dis drawings filed on are accepted by the Examiner. ### All DIS office or | Notice of Allowability | 10/089,207 | | |
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| 3. | 1. X This communication is responsive to the amendment filed | d on 12/19/2003 | • | |
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DETAILED ACTION

This action is responsive to the amendment filed on 12/19/2003.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William Valance on February 12, 2004.

The application has been amended as follows:

In the claims:

In claims 10, in line 1, replace "claim" by -- claims--.

In claim 11, in lines 1 and 2, replace the phrase "one of claims 8 to 10" by -- claim 8 --.

In claim 12, in lines 1 and 2, replace the phrase "one of claims 8 to 11" by -- claim 8 --.

In claim 13, in lines 1 and 2, replace the phrase "one of claims 8 to 12" by -- claim 8 --.

3 Claims 2-6 and 8-13 are allowed.

STATEMENT OF REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Heberer (J.F.Pr. Chem) teaches a compound of a formula 6, in which positions 4 and 5 of the phenyl radical are occupied by hydrogen atoms and having an OH radical attached to the phenyl radical (see page 489, formula 6), which is differs from the applicant's compound in that Heberer does not teach or disclose a compound of the claimed formula (I) in which if R1, R2 and

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Q each denotes hydrogen then X does not denote an oxygen atom as required by the instant amended claims. Accordingly the claimed subject matter as a whole would not have been obvious to one having ordinary skill in the art of cosmetic preparation.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eisa B Elhilo whose telephone number is (571) 272-1315. The examiner can normally be reached on M - F (8:00 -5:30) with alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eisa Elhilo

February 12, 2004

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